

501.43789X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ryoji FURUHASHI et al.

Serial No.: 10/828,306

Filed: April 21, 2004

For: INFORMATION PROCESSING SYSTEM AND MANAGEMENT
DEVICE FOR MANAGING RELOCATION OF DATA BASED
ON A CHANGE IN THE CHARACTERISTICS OF THE DATA
OVER TIME (Amended)

Group: 2187

Examiner: K. N. McLean-Mayo

REQUEST FOR APPLICATION OF PREVIOUSLY PAID ISSUE FEE

MS Issue Fee

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

May 8, 2006

Applicants submit that the above-referenced application was originally allowed by a Notice of Allowance dated January 10, 2006, for which the Issue Fee was paid on February 7, 2006.

However, in accordance with 37 CFR §1.313(c)(2), Applicants filed a Petition to Withdraw the above-referenced application from issue in favor of a Request for Continued Examination (RCE) so as to permit consideration of an Information Disclosure Statement filed on March 16, 2006.

The Examiner upon examining the application based on the March 16, 2006 RCE and Information Disclosure Statement again allowed the application by the April 4, 2006 Notice of Allowance for which the Issue Fee is due on July 5, 2006.

Upon granting the Petition to Withdraw from Issue dated March 16, 2006, the Office of Petitions indicated that if the application is again allowed the Issue Fee paid on February 7, 2006 can be applied towards the Issue Fee of the new Notice of Allowance.

Accordingly, Applicants hereby respectfully request that the Issue Fee paid on February 7, 2006 in the amount of \$1,700.00 for the above-referenced application be applied toward the Issue Fee with respect to the new Notice of Allowance dated April 4, 2006 being paid on even date herewith. Attached herewith is a copy of the March 17, 2006 Decision granting the Petition filed on March 16, 2006.

Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C., Deposit Account No. 50-1417 (501.43789X00) please credit any excess fees to such deposit account.

Respectfully submitted,



CIB/jdc
(703) 684-1120

Carl I. Brundidge
Registration No. 29,621
MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C

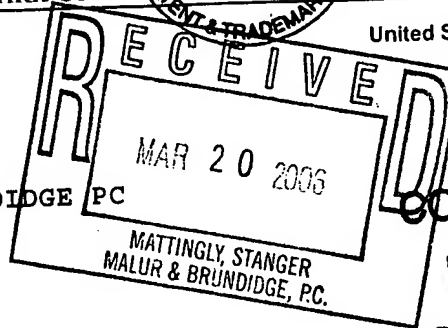


UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 08 2006

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MATTINGLY STANGER MALUR & BRUNDIDGE PC
1800 DIAGONAL ROAD, SUITE 370
ALEXANDRIA, VA 22314



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OFFICE OF PETITIONS

In re Application of
Ryoji Furuhashi et al
Application No. 10/828,306
Filed: April 21, 2004
Attorney Docket No. 501.43789X00

:
:
: DECISION GRANTING PETITION
: UNDER 37 CFR 1.313(c)(2)
:

This is a decision on the petition, filed March 16, 2006, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

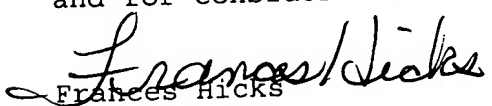
The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid on February 7, 2006 in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.¹

Telephone inquiries should be directed to the undersigned at (571) 272-3218.

This matter is being referred to Technology Center AU 2187 for processing of the request for continued examination under 37 CFR 1.114 and for consideration of the Information Disclosure Statement.


Frances Hicks
Petitions Examiner
Office of Petitions

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¹ The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Part B - Fee(s) Transmittal Form (along with any balance due at the time of submission), which includes the following language thereon: "The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee in the application identified above. Petitioner is advised that, whether a fee is indicated as being due or not, the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment. Note the language in bold text on the first page of the Notice of Allowance and Fee(s) Due (PTOL-85)."